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June 11, 2024

BY CM/ECF

The Honorable Arlene R. Lindsay
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: Town of Hempstead v. Triborough Bridge and Tunnel Auth., No.
24 Civ. 3263 (E.D.N.Y.) (ARL) (“*Hempstead*”)

Dear Judge Lindsay:

We write on behalf of the Metropolitan Transportation Authority (“MTA”) and the Triborough Bridge and Tunnel Authority (“TBTA,” collectively, the “MTA Defendants”) concerning the schedule in the above-captioned case.

Despite Governor Kathy Hochul’s recent announcement that she intended there to be a pause with respect to implementation of the Manhattan Central Business District Congestion Pricing Program (the “Program”), previously anticipated to commence operation on June 30, 2024 (*see* ECF 20), the MTA Defendants respectfully submit that the Program’s pause should not delay resolution of the motion to transfer venue pending *sub judice*. For the reasons set forth in the MTA Defendants’ papers, transferring the *Hempstead* action to the Southern District, where six of the nine challenges to the Program are pending (including two cases related to *Hempstead* pending before Judge Seibel), remains warranted under 28 U.S.C. § 1404(a), notwithstanding the recent developments regarding the Program’s implementation date. *See* ECF 11; ECF 18.

Respectfully submitted,



Roberta A. Kaplan